

**REMARKS**

Reconsideration and allowance of the above-subject application are respectfully requested.

Claims 27, 30, 36, 39, 43, and 46 stand rejected under 35 U.S.C. §102 as allegedly being anticipated based on newly-applied Biggs. This rejection is overcome because amended claim 27 now includes the subject matter from dependent claims 29, 31 and 33. The effect of the amendments is that user-register is distributed to the user-device, and/or predefined in the user-device. In addition, a priority-table is identified in the user-device by matching the present coverage area for the user-device with the coverage areas associated with the priority-tables by the area-identifier. Furthermore, limitations on the quality of service are determined in the user-device such that the user-device determines whether it is allowed to establish a traffic channel. The other independent claims are amended in a similar manner as for claim 27.

Claim 33, now incorporated into claim 27, stands rejected under 35 USC § 103 based on Biggs, Boland, Chaves, and Artamo. This rejection is respectfully traversed.

Being based on a combination of four (4) documents without reference to any hints or similar that may induced a skilled person to make these many modifications of Biggs. It is not obvious that a person of ordinary skill would have any reason to combine all these documents absent improper hindsight. See *Ecolab, Inc. v. FMC Corp.*, 569 F.3d 1335 (Fed. Cir. 2009).

This is particularly so since the Boland does not teach that a user-register is distributed to a *user device*, as recited in claim 27. Contrary to the contention on page 9 last paragraph in the Official Action, Boland stores data for subscribers with priority information in a home location register 113, which is a part of the mobile switching center 103 and not a part of Boland's mobile subscriber station 101 (which is comparable to a user device). Boland compares the identity of a



mobile subscriber station 101 with the service priority data stored in the HLR 113 for the mobile subscriber station 101 to determine whether this mobile subscriber station 101 is entitled to wireless service etc. See page 14 lines 5–12 in Boland. The stored priority data in Boland may perhaps be similar to the priority-tables in amended claim 27, but the priority data in Boland is stored in a Home Location Register 113 and not in a mobile subscriber and/or mobile subscriber station (a terminal) as is the case for the priority-tables in claim 27.

Contrary to claim 27, the terminals/subscribers in Boland do not identify a priority-table by matching in the user-device the present coverage area for the user-device with the coverage areas associated with the priority-tables by the area-identifier. Furthermore, the terminals/subscribers in Boland do not determine limitations on the quality of service in the user-device such that the user-device determines whether it is allowed to establish a traffic channel.

Even after combining the four (4) documents Biggs, Boland, Chaves, and Artamo, these claim features are missing. The technology recited in claim 27 enables the UE to compare the received priority-table with the user-register previously stored in the UE, and the UE may then decide for itself, i.e., without involving the UMTS-network, if it should inquire a certain level of service from the UMTS-network or not, depending upon a possible match of the priority-groups defined in the user-register and the priority-groups associated with the priority-levels in the priority-table. Rather than the UE having to request the UMTS-network for a certain level of service, the UE may itself determine one-sided limitations on the quality of service. The UE may also determine from the comparison that it is not allowed to attempt to establish a traffic channel with the UMTS-network in the present coverage area. With the UE comparing the user-register with priority-tables and controlling the quality of service provided to it, the demands on the UMTS-network can be radically reduced if the quality of service is generally determined by



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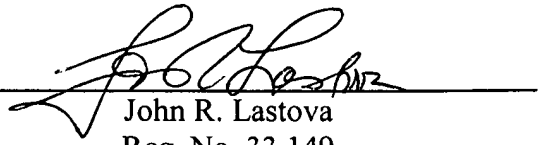
the UE itself. Indeed, the UE determining whether it is allowed to establish a traffic channel with the UMTS-network is performed essentially without imposing any load on the network. None of the four applied documents discloses these advantages of the technology recited in claim 27.

The application is in condition for allowance. An early notice to that effect is requested.

Respectfully submitted,

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